

Message

From: Connors, Sandra [Connors.Sandra@epa.gov]
Sent: 11/30/2020 10:00:23 PM
To: Ruf, Christine [Ruf.Christine@epa.gov]
CC: Lousberg, Macara [Lousberg.Macara@epa.gov]; Trombley, Michael [Trombley.Michael@epa.gov]; Hurlid, Kathy [Hurlid.Kathy@epa.gov]; Beck, Whitney [beck.whitney@epa.gov]; Bravo, Antonio [Bravo.Antonio@epa.gov]; Akopian, Natalia [akopian.natalia@epa.gov]; Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]; Weiler, Katherine [Weiler.Katherine@epa.gov]
Subject: RE: next steps, Florida assumption 404 decision

Including Katherine!

Sandra

Sandra L. Connors
Deputy Director
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US Environmental Protection Agency, MC 4501T
1200 Pennsylvania Avenue, WJCW 7130A
Washington, DC 20460
(202)564-4231
connors.sandra@epa.gov

From: Connors, Sandra
Sent: Monday, November 30, 2020 4:58 PM
To: Ruf, Christine <Ruf.Christine@epa.gov>
Cc: Lousberg, Macara <Lousberg.Macara@epa.gov>; Trombley, Michael <Trombley.Michael@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; Bravo, Antonio <Bravo.Antonio@epa.gov>; Akopian, Natalia <Akopian.Natalia@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Subject: RE: next steps, Florida assumption 404 decision

Christine - This is a challenging one and I think convening a meeting is the best next step and it apparently is a good cause rule (as opposed as to a direct final).

Katherine Weiler (our new acting SA) is willing to try to schedule something with folks on this message so we can all get on the same page.

Sandra

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From: Ruf, Christine <Ruf.Christine@epa.gov>
Sent: Monday, November 30, 2020 4:45 PM
To: Connors, Sandra <Connors.Sandra@epa.gov>
Cc: Lousberg, Macara <Lousberg.Macara@epa.gov>; Trombley, Michael <Trombley.Michael@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; Bravo, Antonio <Bravo.Antonio@epa.gov>; Akopian,

Natalia <akopian.natalia@epa.gov>

Subject: next steps, Florida assumption 404 decision

Hi Sandra and others, last week there were emails going back and forth about what the needs are related to this action. All of us in OPME are not quite clear on all the particulars of this action that we have never had to deal with before (e.g. direct final rule). I think we agreed the best thing was to have a short meeting this week to make sure everyone understands what's needed, including timing, and also that we have OGC and IO management approval. We see that there's a draft of this in ADP tracker already (see attached). Will this be a direct final rule? And if so, why doesn't it need to go into the Reg agenda? None of us are familiar with direct final rules, we'll have to ask OP for help on that process. Is the NS determination for this direct final rule? If so, there's a format to use to get approval (see attached), and then you have to put information on that into different parts of ADP tracker, as with NS determinations for other rules. Can we set up a time to talk this week? Thanks. Christine

From: Connors, Sandra <Connors.Sandra@epa.gov>

Sent: Monday, November 30, 2020 4:06 PM

To: Lousberg, Macara <Lousberg.Macara@epa.gov>; Zipf, Lynn <Zipf.Lynn@epa.gov>

Cc: Trombley, Michael <Trombley.Michael@epa.gov>; Jones, Rhonda <jones.rhonda@epa.gov>; Ruf, Christine <Ruf.Christine@epa.gov>

Subject: RE: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Thanks Macara. I believe all of the required memos (including memo for Dave to sign) are included on the email I forwarded and we loaded in CMS. I'm double checking on OGC concurrence and if not in there already, will load asap.

We're also struggling to understand what is needed for the rule associated with Florida's assumption decision under 404. It's a bit complicated but once R4 approves the actual FL application, we will just need to do a direct final rule that amends to say that we now have 3 states that are assumed. We are trying to send the non-significance determination today (not the rule) and have filled out the new action information form for OP, a memo from John to Dave and a non-significance write-up. Not sure if we need a memo from Dave to OP or anything else?

Sandra

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From: Lousberg, Macara <Lousberg.Macara@epa.gov>

Sent: Monday, November 30, 2020 9:52 AM

To: Connors, Sandra <Connors.Sandra@epa.gov>; Zipf, Lynn <Zipf.Lynn@epa.gov>

Cc: Trombley, Michael <Trombley.Michael@epa.gov>; Jones, Rhonda <jones.rhonda@epa.gov>; Ruf, Christine <Ruf.Christine@epa.gov>

Subject: RE: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Thanks Sandra. Does what OWOW uploaded in CMS include the request memo and OGC concurrence Deborah mentioned below? If not, OWOW will need to add those to CMS so we can include them in the package for Lee. Apologies I don't know the status but Lynn is out today so I'm trying to figure out where things stand.

From: Connors, Sandra <Connors.Sandra@epa.gov>

Sent: Monday, November 30, 2020 9:19 AM

To: Lousberg, Macara <Lousberg.Macara@epa.gov>; Zipf, Lynn <Zipf.Lynn@epa.gov>

Cc: Trombley, Michael <Trombley.Michael@epa.gov>; Jones, Rhonda <jones.rhonda@epa.gov>; Ruf, Christine <Ruf.Christine@epa.gov>

Subject: RE: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Macara – GM and hope your Thanksgiving was delightful. This has been discussed at our biweeklies and both Dave and Lee were interested in moving this forward. We sent the documents to Lee and uploaded these in CMS as well when that became the protocol. I think we were looking to you to let us know if there was anything else needed beyond what was loaded in CMS?

Sandra

Sandra L. Connors

Deputy Director

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From: Lousberg, Macara <Lousberg.Macara@epa.gov>

Sent: Monday, November 30, 2020 8:26 AM

To: Zipf, Lynn <Zipf.Lynn@epa.gov>

Cc: Trombley, Michael <Trombley.Michael@epa.gov>; Jones, Rhonda <jones.rhonda@epa.gov>; Connors, Sandra <Connors.Sandra@epa.gov>; Ruf, Christine <Ruf.Christine@epa.gov>

Subject: RE: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

FYI all but Deborah – I just looked at the OW master calendar and this is on Lee's to-do list for this Wednesday – complete his review. I'll mention the need for a request memo and OGC concurrence at this morning's OW staff meeting. Sandra – is this already on OWOW's radar screen as a to-do?

From: Beard, Deborah-Ward <beard.deborah-ward@epa.gov>

Sent: Monday, November 30, 2020 7:08 AM

To: Zipf, Lynn <Zipf.Lynn@epa.gov>

Cc: Trombley, Michael <Trombley.Michael@epa.gov>; Jones, Rhonda <jones.rhonda@epa.gov>; Connors, Sandra <Connors.Sandra@epa.gov>; Ruf, Christine <Ruf.Christine@epa.gov>; Lousberg, Macara <Lousberg.Macara@epa.gov>

Subject: RE: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Good morning, Lynn.

I trust your turkey day was peaceful. I understand that this delegation is vital and urgent for OW, and I want to assist you with securing this approval as soon as possible. I have also cc: Macara and Christine with the hope that they may also provide assistance with securing the required OW request memo. Unfortunately, I cannot move forward without a request memo

signed by the OW AA or his designee and an OGC concurrence email. A PIV signed request is acceptable; Stephanie Rich or Mary O'loné review and concurrence email will suffice. Upon receipt, I will finalize the package so it can begin approval routing. Please feel free to contact me if I can provide additional assistance. Stay safe and healthy.

Be well.

Deborah

Deborah-Ward Beard, OHR

(513) 569-7766; Beard.Deborah-Ward@epa.gov

From: Beard, Deborah-Ward

Sent: Friday, November 20, 2020 10:54 AM

To: Zipf, Lynn <Zipf.Lynn@epa.gov>

Cc: Trombley, Michael <Trombley.Michael@epa.gov>

Subject: RE: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Hi, Lynn.

Without being a pest, I just want to ensure that I assist you with securing this approval per the date you require it. Mr. Ross' signed request memo, and OGC concurrence email is needed to move this item forward towards approval routing. PIV approved .pdf copy is sufficient; the OGC concurrence email is all I require.

I will be out of office next week, and I did not want to miss receiving these documents. Feel free to send this info to me, and I will keep an eye out for these items next week.

In the meantime, remain safe and healthy, and enjoy your Turkey Day.

"OMG, gobble gobble" said Tom Turkey as he viewed the Thanksgiving table through the dining room window.

Deborah

Deborah-Ward Beard, OHR

(513) 569-7766; Beard.Deborah-Ward@epa.gov

From: Beard, Deborah-Ward

Sent: Tuesday, November 10, 2020 8:10 AM

To: Zipf, Lynn <Zipf.Lynn@epa.gov>

Cc: Trombley, Michael <Trombley.Michael@epa.gov>

Subject: RE: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Good morning, Lynn.

It has been a while since we talked, and it is a pleasure to hear from you. I trust you and yours are safe and healthy.

To move this forward, I will need a signed request memo from Mr. Ross to Dr. Jones. Additionally, copies of OGC concurrence of the proposed delegation must accompany the final package submitted for AO approval; please submit to me as soon as possible. Mr. Sweeny had informed me of this item late last year, however I do not have a copy of the OGC concurrence from either him or Stephanie/Joanne. Please indicate when this authority is required by OW and I will attempt to schedule approval to coincide with your program's action date.

I must add that each of the submitted docs are high quality, and will assist me with responding to your need for expedited handling. I will return to the office on Thursday, and upon receipt of the signed (PIV authorized signature OK) request memo and OGC concurrence, this delegation can move forward.

Always a pleasure to talk with you. Be well.

Deborah

Deborah-Ward Beard, OHR

(513) 569-7766; Beard.Deborah-Ward@epa.gov

From: Zipf, Lynn <Zipf.Lynn@epa.gov>

Sent: Tuesday, November 10, 2020 7:11 AM

To: Beard, Deborah-Ward <beard.deborah-ward@epa.gov>

Cc: Trombley, Michael <Trombley.Michael@epa.gov>

Subject: FW: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Importance: High

Deborah – attached please find the documents for delegating the issuance of emergency permits under MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound. Please let me know if you have any questions.

Lynn Zipf
FOIA Specialist
Office of Water

EPA East Room 3349K

(202) 564-1509

From: Connors, Sandra <Connors.Sandra@epa.gov>

Sent: Wednesday, November 04, 2020 1:34 PM

To: Trombley, Michael <Trombley.Michael@epa.gov>; Ruf, Christine <Ruf.Christine@epa.gov>; Lousberg, Macara <Lousberg.Macara@epa.gov>

Cc: Browne, Nancy <Browne.Nancy@epa.gov>; Zipf, Lynn <Zipf.Lynn@epa.gov>; Akopian, Natalia <akopian.natalia@epa.gov>

Subject: FW: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Importance: High

All – Per your request - the attached documents were sent in for IO review in July.

Please let us know if there is anything else needed – thanks!

Sandra

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From: Goodin, John <Goodin.John@epa.gov>

Sent: Thursday, July 30, 2020 1:52 PM

To: Forsgren, Lee <Forsgren.Lee@epa.gov>

Cc: Aguirre, Janita <Aguirre.Janita@epa.gov>; Mejias, Melissa <mejias.melissa@epa.gov>; Frazer, Brian <Frazer.Brian@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>; Santell, Stephanie <Santell.Stephanie@epa.gov>; Connors, Sandra <Connors.Sandra@epa.gov>

Subject: Documents for delegation of issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound

Importance: High

Afternoon, Lee—as discussed, attached are four brief documents to effectuate revising the delegations associated with the issuance of emergency permits under the MPRSA for the ocean dumping of marine mammal carcasses in Puget Sound, particularly the requirement that the Regional Administrator for Region 10 must **notify** the Assistant Administrator for Water prior to issuance of such emergency permits. In addition, Region 10 requested that the delegation of authority to **issue** an MPRSA emergency permit for the ocean dumping of marine mammal carcasses in Puget Sound be revised to authorize the Region 10 Branch Chief to issue such permits. With these temporary delegations, instead of the Regional Administrator for Region 10 issuing these emergency permits and notifying the Assistant Administrator for Water, the Branch Chief in Region 10 can provide advance notification to the Director of OWCD and issue the permit. We have worked with OGC and the Region on each and will include a concurrence memo from OGC in the record.

These delegations will remain in effect until the re-issuance of the general permit for Ocean Disposal of Marine Mammal Carcasses or until modification of that permit to authorize ocean disposal of marine mammal carcasses in Puget Sound.

The following four Word Files are being uploaded into CMS for Dave's concurrence or signature, but also are attached here for your convenience:

- 1) Delegation 3-4. (file name - Delegation 3-4) Research and Emergency Ocean Dumping Permits, Other Than Incineration-at-Sea Permits
 - This is the MPRSA delegation being temporarily modified by this action. The text of this delegation itself will not be modified.
- 2) OW to OMS Package (file name - OW to OMS MPRSA for PS carcasses June 3 2020)
 - a. Memo from OW to OMS - Request for a Temporary Delegation of Authority to Issue Emergency Permits under the Marine Protection, Research, and Sanctuaries Act to Authorize Dumping of Marine Mammal Carcasses in Puget Sound
 - b. Memo from the Administrator to the Region 10 RA - Temporary Delegation of Authority to Issue Emergency Permits under the Marine Protection, Research, and Sanctuaries Act to Authorize Dumping of Marine Mammal Carcasses in Puget Sound
 - c. Would also include Delegation 3-4 as an attachment
- 3) OMS to OA Package (file name - OMS to OA MPRSA for PS carcasses June 3 2020)
 - a. Memo from OMS to OA requesting the Administrator's signature - Request for Approval for Temporary Delegation of Authority to Issue Emergency Permits under the Marine Protection, Research, and Sanctuaries Act to Authorize Dumping of Marine Mammal Carcasses in Puget Sound
 - b. Attachments would include all three documents in the OW to OMS Package (#2 above) and the OGC concurrence memo
- 4) Memo from OW AA to Region 10 RA – (file name OW to Region 10 RA MPRSA for PS carcasses June 3 2020) Designation of EPA Headquarters Official to Receive Notification Request for a Temporary Delegation of Authority to Issue Emergency Permits under the Marine Protection, Research, and Sanctuaries Act to Authorize Dumping of Marine Mammal Carcasses in Puget Sound
 - This is the memo from David Ross to Chris Hladick designating the Division Director of the Oceans, Wetlands and Communities Division in the Office of Wetlands, Oceans and Watersheds, to receive the notifications as provided under the temporary delegation. This would be signed after the Administrator signs the temporary delegation memo (memo b in #2 above).

Let me know if you have any questions or comments.

Thanks,

John